

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 48]

रायपुर, सोमवार, दिनांक 31 जनवरी 2022 — माघ 11, शक 1943

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर
HIGH COURT OF CHHATTISGARH, BILASPUR
Bilaspur, the 21st December 2021

MEMO

No. 12961/Rules/2021.— With reference to the subject cited above, it is to inform you that High Court of Chhattisgarh has been pleased to recommend the following amendments in the Rules & Order (Criminal) :-

AMENDMENTS

1. **In the Rule 72(2), after the words and parenthesis “witness in order to contradict him” and before the word “and” the following shall be inserted :-**

“where the relevant portion is not extracted, the portions only shall be distinctly marked as prosecution or defence exhibit as the case may be, so that other inadmissible portions of the evidence are not part of the record. In cases where the relevant portion is not extracted, the admissible portion shall be distinctly marked as prosecution or defence exhibit as the case may be.”

2. **After the Rule 72(2), the following shall be added :-**

“(3) The aforesaid rule applicable to recording of the statements under section 161 shall mutatis mutandis apply to statements recorded under section 164 of the Cr.P.C., wherever such portions of prior statements of living persons are used for contradiction/corroboation.

(4) Omnibus marking of the entire statement under section 161 and 164 Cr.P.C. shall not be done.”

3. **After Rule 117, the following shall be inserted :-**

“Rule 117A :- SUPPLY OF DOCUMENTS UNDER SECTIONS 173, 207 AND 208 CR.PC :-

Every Accused shall be supplied with statements of witness recorded under Section 161 and 164 Cr.PC and with list of documents, material objects and exhibits alongwith copies of all Panchnamas prepared during investigation and relied upon by the Investigating Officer (I.O.) in accordance with Section 207 and 208, Cr.PC.

Explanation: The list of statements, documents, material objects and exhibits shall specify statements, documents, material objects and exhibits that are not relied upon by the Investigating Officer."

4. In the Rule 180, after the words and parenthesis "Magistrate with his own hand and in his mother tongue," and before the word "unless" the following shall be inserted :-

"in typed format, or shall be prepared on computers, in the court on the dictation of the Presiding Officer,"

5. After Rule 182, the following shall be inserted :-

"Rule 182A: Prosecution witnesses shall be numbered as PW-1, PW-2 etc, *in seriatim*. Similarly, defence witnesses shall be numbered as DW-1, DW-2, *in seriatim*. The Court witnesses shall be numbered as CW-1, CW-2, *in seriatim*,

6. In the Rule 458, after the words and parenthesis "Exhibit D-2," the following shall be inserted :-

"the court exhibit shall be marked as Exhibit C-1, Exhibit C-2,"

7. In the Rule 253, after the words and parenthesis "charged and convicted.", the following shall be added :-

"In case of acquittal and if the accused is in confinement, a direction shall be given to set the accused at liberty, unless such accused is in custody in any other case."

8. After Rule 375, the following shall be inserted :-

"Rule 375A :- The application for bail in non-bailable cases must ordinarily be disposed off within a period of 3 to 7 days from the date of first hearing. If the application is not disposed off within such period, the Presiding Officer shall furnish reasons thereof in the order itself. Copies of the reply to the bail application or status report (by the police or prosecution) if any, shall be furnished to the accused before hearing on the bail application."

9. After Rule 239, the following shall be inserted :-

"Rule 239A :- Every judgment shall contain the following :-

- i. Start with a preface showing the names of parties as per FORM D to the Rules.
- ii. A tabular statement as per FORM-E to the Rules.
- iii. The Judgement in original decision shall, apart from the particulars prescribed by Section 354 of the code also contain an index in tabular Form as per FORM-F to the Rules.

10. After FORM-C, the following shall be added :-

FORM - D

IN THE COURT OF..... Presiding Officer..... Judge	
[Date of the judgement] [Case No.] (Details of FIR/Crime and Police Station)	
Complainant	STATE OF..... OR NAME OF THE COMPLAINANT
REPRESENTED BY	NAME OF THE ADVOCATE
ACCUSED	1. NAME WITH ALL PARTICULARS(A1) 2. NAME WITH ALL PARTICULARS(A2)
REPRESENTED BY	NAME OF THE ADVOCATES

FORM - E

Date of offence	
Date of FIR	
Date of Charge sheet	
Date of framing of charges	
Date of commencement of Evidence	
Date on which judgement is reserved	
Date of the judgement	
Date of the Sentencing Order, if any	

Accused Details:

Rank of the Accused	Name of the accused	Date of arrest	Date of release on bail	Offence charged with	Whether acquitted or convicted	Sentence imposed	Period of detention undergone during trial for purpose of section 428 Cr.P.C.

FORM - F**Index**

S.No.	Description	Page No.
1	Heading of Judgment	
2	Appearance of Advocates	
3	Charge	
4	Admitted Facts	
5	Prosecution Story	
6	-----	
7	-----	
8	Reasons and findings	
9	Sentence	
10	Period of Detention & Set-Off	
11	Disposal of Property	
12	Order of Compensation	
13	Certificate under section 428 CrPC	
14	Warrant of Commitment on a sentence (Imprisonment or Fine)	
15	Copy of Judgment	

It is, therefore, requested to get the above amendments notified in the Official Gazette of Government of Chhattisgarh after due and appropriate approval. A copy of the Gazette be made available to this Registry.

Sd/-

(Sanjay Kumar Jaiswal)
Registrar General.